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"That the administration of local affairs is capable of considerable improvement is acknowledged on all hands: it is marred by many blemishes due to power centring in the hands of individuals chosen in a haphazard manner, not for their capacity to represent usefully the rate-payers who return them, but by adventitious aids unrelated to the cause which has to be represented or the ability of the person who is entitled to espouse that cause. If local self-government should be the training ground for the attainment of full responsibility, young people imbued with the ideals of University education must see to it that the welfare of the rate-payer and the right utilisation of the rates levied from him must be placed above petty caste and sectarian jealousies, factious stratagems and personal aggrandisement."— SIR T. DESIKACHARI, KT., in his address at the annual convocation of the Annamalai University.

NOTES AND COMMENTS

[By the Editor]

DISTRICT boards in the United Provinces have acquired an unenviable notoriety in the matter of their financial condition, for, according to the latest official review of their working (1931-32), the majority of the boards "have made no real attempt to turn aside from the downward path to bankruptcy which they have been so long pursuing." The report adds that punctual and balanced budgets are still the exception rather than the rule. It is stated that exhausted balances and the squandering of invested funds are still a commonplace. Three of the district boards—Farrukhabad, Cawnpore, and Jaunpur—are already insolvent, and several others are following rapidly in their footsteps. Supersession is a step distasteful to the Government, but hopeless bankruptcy leaves no alternative. The Government note with satisfaction, however, that a few of the present boards are making genuine efforts to extricate themselves from the financial morass bequeathed to them by their predecessors. At the same time it cannot be denied, says the report, that the boards generally fail to grasp the elementary principles of proper budgeting, the folly of allowing their expenditure to exceed their income, and the paramount necessity of meeting a period of unexampled depression by drastic retrenchment, exploration of all possible sources of new income and a rigid husbanding and supervision of their existing resources.

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The remarks of the Examiner of Local Fund Accounts are quoted in the report. " With the exception of a few

district boards which have maintained their past record of good working," writes this official, "the accounts of a number of the boards have deteriorated and are capable of improvement in one or more directions. Closer supervision over the accounts and strict compliance with the rules are needed all round." Disregard of rules and lack of supervision over the staff have facilitated embezzlements, and the worst feature of these embezzlements, says the report, is that the culprits, even when caught red-handed, are often allowed to escape with negligible punishments or with no punishment at all. The report proceeds : "Habitual dilatoriness in the disposal of audit notes has shown no signs of diminishing. The school accounts of several boards are also said to require more attention ; the tuition fees realized by some teachers were also retained for long periods and remitted to the treasury only after they had received their pay, though, in view of the manner in which some boards fail to pay their teachers for months at a time, it is hard to deal drastically with such cases. Lack of supervision was again responsible for the employment of a weaving instructor on Rs. 52 per mensem at a school without a single student." It was found necessary to make a special investigation of the causes of acute financial embarrassment at Aligarh and Moradabad. The accounts of the tax on circumstances and property were not properly maintained by many boards, while pound accounts continued to abound in defects and irregularities of every kind. Numerous boards also neglected the registers of the immovable property vested in them and of the nazul land entrusted to their management.

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As for public works, "the accounts of the important head of expenditure continued to be a prolific source of

irregularities as in past years." These irregularities included rejection of the lowest tenders for work without recorded reason, divergence from sanctioned plans and estimates, and payments to contractors at higher rates than those agreed upon or in contravention of rules long after measurements had been completed. In no less than 22 boards the provident fund accounts were found to have been improperly kept, and in numerous others those of advances to members, the objections in both cases including, as in past years, serious irregularities in the way advances were granted. One of the more glaring instances was presented by the district board of Kheri, where temporary advances aggregating Rs. 9,972-7-0, some of them very old, remained outstanding at the close of the year in the hands of some of the members of the present and the previous boards and certain local residents and officials. Careless preparation of bills resulted in a double payment in Shahjahanpur, and to avoid the lapse of budget provision money was drawn by the district board of Sitapur at the close of the financial year and paid to the manager of a press before the order placed with him had been carried out.

* * *

Need for a general realisation of civic duties and co-ordination of effort for the public weal are rightly emphasised in the review of the annual municipal administration reports and returns of the Punjab for 1931-32. Although local officers have, like doctors, laid their fingers on the weakest points, the Government feel they cannot conclude on a very optimistic note. Municipal committees, as well as the public, have, on the whole, says the review, evinced much greater interest in municipal work and have, under increasing supervision and guidance, displayed more solicitude for improvement, but

still there is great leeway to be made, and it will take some years of sincere, patient and patriotic effort on the part of all concerned before municipal administration reaches a standard satisfying modern requirements. Municipalities numbered 107 and notified areas 28. The heads of districts made increasing use of their powers under the Act to insist on efficient administration. The question of a local self-government inspectorate is still under consideration by the Government. Dealing with the general working of the municipalities, the review refers to the comments in many of the reports regarding a lack of public spirit and sense of responsibility, and quotes the remarks of the Commissioner of Ambala regarding excessive factiousness which he found the chief fault. "Municipal committees, with few exceptions, are a byword for intrigue, and even when the members vote straight their opponents attribute motives, and this mudslinging is interminable." Mention is also made of complaints that communal and personal considerations outweigh public good in such matters as the appointment and control of staff, the removal of encroachments on public land and recovery of dues. Extreme dilatoriness in correspondence, inattentiveness to audit criticism, and unpunctual and ill-considered budgets were reported from some municipalities, such as Multan. One municipality involved itself in complete insolvency. As an offset against these the good work of municipalities, such as Rawalpindi and four hill station committees is mentioned.

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Panchayats in the Punjab get through a considerable amount of work as judicial bodies, and in so doing perform a most useful function in the general administration, says an official review on the working of these institutions last year. That this function is being performed

satisfactorily is clear from the very small number of complaints which reached the authorities from persons who consider themselves aggrieved or oppressed. The Deputy Commissioner, Gujranwala, fears "that some panches use the panchayats as a means of wreaking their vengeance on their enemies or of bringing pressure on the village menials if they become too independent"; and a similar opinion is expressed by the Deputy Commissioner of Multan. It is regretted, however, says the Government resolution, that panchayats function to a very small extent in the sphere of executive action. It was hoped when the Panchayat Act was passed in 1921 that the powers conferred by sections 14, 15 and 18, for the improvement of villages, would be vigorously employed by the panchayats, and that they would, by means of the village rate and the special rate, under sections 35 and 36, levy a moderate imposition on the residents for the purpose of carrying out and exercising those duties and powers. The amounts realized are negligible, and it appears from the reports that very little in the way of village improvement and sanitation is done. Panchayats can undoubtedly accomplish much with the help of the unpaid labour of the inhabitants.

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The Lahore Commissioner remarks: "A good panchayat which can get the villagers to do their bit from time to time in preventing damage by erosion or other causes may have no record of important public works to enter in the annual reports, but has done much better service, both to its constituents and to the cause of administration in general, than another which has allowed its roads to go to pieces or its well to fall in and then has raised a thousand rupees by direct taxation and paid this sum to a contractor to remake the roads or rebuild the

parapet of the well." It is difficult, however, in the absence of reports by officers made as a result of personal inspections, to say how much work has actually been accomplished on these lines by the panchayats; and the Government fully recognise that pressure of work makes it difficult for district officials to inspect many of the thousand panchayats, in addition to inspecting some 300 larger local bodies. But they are pleased to learn that in some districts officers have found time to do so. The posts of panchayat officers who had been appointed in 14 districts were brought under reduction owing to the financial stringency half way through the year under report. It is, perhaps, too early to say how far this has been injurious to the progress of the panchayats. Some of the Deputy Commissioners concerned urge that they should be re-appointed. The commissioners of Lahore, Ambala and Jullundur do not themselves suggest that any ill-results have as yet been apparent. The Commissioners of Rawalpindi and Multan, however, expressed the opinion that the abolition of these officers was a serious blow to the movement, particularly the Commissioner of Multan, who holds that it was "disastrous."

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Mr. E. Conran Smith, C.I.E., I.C.S., M.L.C., Honorary Secretary, Madras Association for the Blind, has addressed the following appeal: "This Association is maintaining a School for the Blind at Poonamallee, a healthy suburb of Madras, and I enclose for your perusal a copy of the last report. There is ample accommodation for more children in the buildings, and the General Committee of the Association, at its meeting held on 4th August, 1933, passed a resolution to the effect that Collectors of districts, Presidents of District Boards, Chairmen of Municipal Councils and District Medical Officers

might be approached with a view to obtaining wider publicity for the school and with a view to securing the admission of more children under ten years of age for the small fee of Rs. 5 per mensem. It will be seen from the report that the school is a long-felt want. The General Committee also resolved that an appeal might be sent out to the authorities mentioned above, invoking their good offices to secure more public support for the institution by enlisting individual members paying an annual subscription of Rs. 12 to the Association and where possible by forming local associations. The Association hopes that you will see your way, whenever opportunities permit, to bring the school to the notice of parents who have children afflicted with blindness and generally to make this appeal known to those interested in the welfare of the blind. His Excellency the President has endorsed this appeal in the following terms: 'I commend to all the appeal of this Association the object of which is to make those afflicted with blindness self-supporting and self-reliant members of the community and to enable them to overcome their affliction. I am confident that there is no cause which can make a stronger appeal.'" It need hardly be said that the appeal deserves a generous response at the hands of the public.

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The Director of Public Instruction has submitted a special report to the Government dealing with the question of the consolidation and concentration of elementary schools. He has pointed out certain difficulties in the way of working out and putting into operation the scheme as formulated in Mr. Champion's report and has made the following amongst other suggestions: (1) that schemes for the consolidation and concentration of elementary schools should take into account all classes of schools, not only those managed by local bodies but those under private management as well; (2) that schemes should be prepared by the officers of the Education Department and forwarded to local bodies and District Educational Councils; and (3) that the attention of District Educational Councils

and local bodies should be drawn to the need for taking immediate action in regard to the concentration and consolidation of schools, a time limit being prescribed within which the schemes should be forwarded to the Director of Public Instruction with the remarks of the District Educational Councils and local bodies. The Government have accepted the Director of Public Instruction's suggestions subject to the following remarks: "While the Government agree that schemes of consolidation should comprise schools under all agencies, they consider that, in view of possible opposition from certain quarters, the scheme proposed for each area should be such as to secure the maximum amount of amalgamation possible under the circumstances prevailing in the area to which it relates. This observation applies to Muslim schools also. The Government also consider that, as the financial effect of each scheme should be considered before an announcement is made as to the utilisation of the savings that are likely to result from its adoption, the final orders on each scheme should be passed by Government. The Director of Public Instruction is accordingly requested to instruct District Educational Officers to prepare schemes for each area, and submit them to him through the local body and the District Educational Council concerned. The Director of Public Instruction will submit them to Government with his remarks. The scheme should contain the following particulars: (1) the present total cost of maintenance of the schools affected (with details of subsidies and grants-in-aid); (2) the cost according to the scheme; and (3) the savings anticipated. It has been suggested that a time-limit of two months for the preparation of schemes by District Educational Officers and of four months in all for examination by District Educational Councils and local bodies should be fixed. The Government accept the suggestion. They trust that local bodies and District Educational Councils will co-operate with the Government in this matter and deal with the schemes as expeditiously as possible."

RURAL WELFARE IN ANCIENT INDIA: A STUDY IN HINDU SOCIAL HISTORY

[By MR. V. SRINIVASAN, M. A.]

"On the roads I have had banyan trees planted to give shade to man and beast; I have had groves of mango trees planted; at every half-kos I have had wells dug; rest houses have been erected; and numerous watering places have been provided by me here and there for the enjoyment of man and beast."—ASOKA, 274-236 B. C., PILLAR EDICT VII.

IT is proposed in this essay to indicate briefly some of the steps taken in ancient India to ensure "good life" to the people. The study is of perennial interest, throwing as it does some light on the conditions of a bygone age when society had to tackle problems not very different from those it is confronted with at the present day.

India is predominantly a land of villages; she was more so in the past, and this fact has profoundly influenced the course of her history. Though writers that followed Alexander in his track wrote of countless towns, and though battlemented cities with teeming populations have ever dotted the map of Hindustan, the bulk of the people have lived not in urban areas but far away in the villages of the interior whence flowed the real stream of the nation's life. Lack of communications in those distant times secured them from the interference of paramount authority, and the local units developed in their own way and on independent lines. It thus came about that

the village system of India outlived vicissitudes of war and dynastic upheavals.

It is necessary to emphasise the fact that the State in India has ever been viewed as a vehicle of attaining salvation. And the monarchs who have shed a lustre over the pages of our history had this ideal set before them, and in living up to it and in sedulously seeking the welfare of their subjects they had only the feeling of fulfilling their *dharma* and working their salvation (*moksha*). Such is the evidence of history and testimony of the great manuals of political science that have appeared in this country from the days of the Indian Kemaralist, Kautiliya known to fame as Chanakya.

The villages of India were formed either by foreigners induced to immigrate into the area or by the excess of population of densely peopled centres being sent out to occupy fresh sites. Each village had its quota of husbandmen who were capable of protecting each other, and among those was distributed the cultivable land. Each community was provided for according to its needs and professional requirements, and the wisdom of the ancient Smrithis converted the waste lands not fit for cultivation into pastures for cattle. The villages were planned to strict artistic and hygienic standards, and the cremation and burial grounds of the community were laid out far from the habitations.

The construction of roads was among the duties enjoined on a king by Hindu law books and the ruler employed the necessary labour. He carried on mining operations, sank wells, dug tanks, exploited timber and forest produce, set up markets and offered facilities for cattle-breeding.

Even at an early date the villages had evolved a happy corporate communistic life, sharing with each

other the hopes and aspirations incidental to that life. The State afforded them protection of life, liberty and property, and, in turn, was allowed a share in the produce of the soil, which, in Manu's code, was fixed at a eighth, sixth or tenth according to the variety of the land. The people were full proprietors of the soil. Nilakanta in his *Vyavahara Mayukha* says that the king only took the taxes; the ownership of the lands in the village belonging to the bhumikars or landlords who were all co-sharers of the village lands. We have it on record that the village officials like the accountant and the veterinary surgeon who had lands endowed them could not alienate the same either by mortgage or by sale. The whole village had an interest in the integrity of the lands. "Earth cannot be given away as it is common to all," wrote Jaimini, and Yagnavalkya says that the king was entitled only to a tax and that in return for protection: "Protecting his subjects with justice, he receives one-sixth of their merit; ...... If being unprotected the subjects commit any sin, the king shares half of it; for he receives taxes."

The Mauryan code provided for a *Gopa* for every village who is the counterpart of the *gramani* or village headman mentioned in the *Taittriya Samhita* and the *Taittriya Brahmana.* This official was the king's representative in local areas, and working under the orders of the governor of the province, saw to the execution of royal commands, and was responsible for the satisfactory conduct of policy, so that the people may derive the full benefits of the imperial policy. The idea of administration being carried on by a chain of officers in regular gradation was evidently not something alien to Hindu statecraft.

The king's law was administered by men learned in

the law in association with three men nominated by royal warrant who had their court in the country where three districts met. Cases were heard and claims adjudged by them. Expeditious disposal was secured by the stringent provisions laid down in the *Arthasastra* against laws, delays and corrupt practices :

"When a judge does not inquire into necessary circumstances, inquires into unnecessary circumstances (desa), makes unnecessary delay in discharging his duty, postpones work with spite, causes parties to leave the court by tiring them with delay, evades or causes to evade statements that lead to the settlement of a case, helps witnesses, giving them clues or resumes cases already settled or disposed of, he shall be punished with the highest amercement. If he repeats the offence he shall both be punished with double the above fine and dismissed."

"When a judge or commissioner imposes an unjust fine, he shall be fined either double the amount of the fine or eight times that of imposition which is either more or less than the prescribed limit."

"When the superintendent of jails puts any person in lock-up without declaring the grounds of provocation, he shall be fined." ...... (People were thuss protected from vexatious persecution.)

"When an offender kept in lock-up commits rape with an Arya woman in the same lock-up, he shall be condemned to death in the very place."

"When an officer commits rape with an Arya woman who has been arrested for untimely movement at night, he shall also be hanged at the very spot."

"Ancient India knew no thieves," was the high testimony of Strabo, and this is confirmed by what we learn from other authorities like Megasthenes. Theft was visited by the highest amercement : it was a capital

offence and a wide range of crimes appear to have been dealt with equal severity. When any part of property was stolen, the headman of a village, as in the *Kaval* system, was made to make good the loss, and, if the loss was on the highway between villages, the superintendent of pasture who was the lord of the marches between villages was made liable for the goods that could not be recovered. "The king should pay the owner the price of an article stolen by a thief and reimburse himself out of the salaries of his police officials." (*Agni Purana.*)

The cutting of trees on the highway constituted assault in Kautiliya's penal code, and was dealt with accordingly, the punishment varying with the degree of the offence as to whether it was a case of a branch lopped off, or trunk cut, or tree felled. We have thus in ancient India a lead to turn in the matter of the upkeep of avenues.

Utmost purity in life was insisted upon, for, in India, philosophy always meant something to be lived and realised, not merely preached or studied. This feature struck the Chinese traveller, Hiouen Tsang, who toured this country in the middle of the seventh century. The Indians as a people were known for their physical purity and clean habits. "Before every meal," wrote the Chinese pilgrim, "they must have a wash. The fragments and remains of food are not served up again, nor are the food utensils passed on. The utensils of pottery and wood were thrown away if once used in eating, but those of gold, silver, copper or iron were cleansed for fresh use."

In Kautiliya's code, those who excreted fæces in public places or on roads or in places of pilgrimage were hauled up and punished, and practical sense of the statesman provided for an exception where such excretion was due to disease and use of medicine—no punishment being meted out in that case.

Temperate habits were inculcated in ancient India, and the main features of a Gothenberg system were present in Mauryan prohibition policy over two thousand years ago.

Water sheds were erected all over the country, besides well-equipped hospitals on the wayside where expert physicians compounded medicine for man and beast alike. Wells, too, were sunk, one for every ten dwelling houses being the Mauryan standard.

A permanent census of bipeds and quadrupeds formed an integral part of the administration either in the town or in the provincial areas.

The mutts and monasteries of India on the erection and maintenance of which no amount of labour or wealth was spared were centres of learning. India was ever a country of village pial schools whose disappearance has been lamented by Earl Ronaldshay in one of the instructive chapters of his book, "*The Heart of Aryavarta.*" The education obtained in the village was supplemented by learned discussions and debates amongst itinerant seers. The village halls of Hindustan whose beginnings go to Vedic times have secured, both in the north and in the south, a very useful purpose, and Motehalls of the kind that flourished at Kapilavasthu have ever been at once the people's school, service room, and court house where the torch of learning and culture have been, for long centuries, kept burning high. And around those were organised the amusements, the dancing, the races, the bull fights, the *bhajanas*, the *kirtans* and the *kathakalis* that had gone to make up the education of the essential India one has always recognised in the villages.

Of equal interest are the means by which national calamities were provided against in ancient India. At the time of famines, abundant labour was employed in the

restoration and repair of old buildings, seeds and provisions were supplied to the destitute and the needy, and the king showed great favour by giving out freely from his privy purse. And not seldom resort was also had to the policy of "thinning the rich by exacting excessive revenue or by causing them to vomit accumulated wealth."

Rodont control was a well-developed feature of governance. By letting loose cats and mongooses, rats were warded off, and their destruction was effected through grains mixed with the milk of the milk-hedge plants (*snuhi* : *Euphorbia antiquorum*). Auspicious ceremonials on new and full moon days were also enjoined and rats were worshipped on such occasions.

During floods villages were expected to provide themselves with wooden planks, bamboos and boats. Omission entailed fine. Neglect to rescue persons being carried away was likewise penalised.

A person who intentionally set fire to a house was to be thrown into the same fire. Villages were advised to carry on cooking operations in the open, and were required to keep in readiness tubs of water and leather bags to help the headman in extinguishing fires.

Pestilences were generally guarded against with care, an interesting procedure in Mauryan times being the *Mahakachcha vardana* ceremonial in honour of a deity. Milking the cows on cremation or burial grounds and burning the trunk of a corpse were also observed.

Welfare of the animal kingdom was among the chief concerns of ancient Hindu polity. There was in olden days, in refreshing contrast to conditions obtaining at present, ample provision of pasture ground for cattle. The village green or common grazing ground was an integral part of our rural economy and the cowherd was expected to grouse his cattle on the forest grounds

allotted for the purpose. Molesting beasts were driven out by the hunters' hounds, and the cowherd was expected to be one conversant with the remedies for all ills animal flesh was heir to.

Particular care was taken of the cow, ever the mother of the human race. "Whoever hurts or causes another to hurt, or steals or causes another to steal, a cow should be slain." (*Arthasastra.*) In summer she should be milked but once. If this injunction was violated, the thumb of the person who milked a cow a second time was cut off.

It is stated in the *Parasara Smrithi* that four pairs of draught oxen were used in olden times so that each pair got a rest. Today the same oxen are used all day and every day. Though what has been said relates for the most part to conditions that prevailed in upper India, things were not far different in the peninsula. But in *Tamilakam*, a type of vigorous autonomous local administration was perfected under the aegis of the Chola empire. The basis of that village administration has been proved to be of the most democratic kind, and the discovery of that basis to be emphatically related to the elective principle has proved that representative institutions in our country were not the gift of Lord Ripon. Particulars gleaned from the Uttaramallur inscriptions discovered near Madurantakam in the Chingleput district have shown a perfected type of village administration to have worked in mediæval South India.

In the palmy days of Cholas, the villages were practically administered by the council of elders through several committees, each interesting itself in a particular kind of work. In South India it was found more convenient to deal with a group or union of villages called *kurram* rather than a single village as unit. A *kurram's* affairs were managed by itself. Its *mahasabha* or

assembly was composed of men who were chosen by a mixed method of lot and election as in ancient Athens, and who held seat for a year. Qualified by age and wisdom, born of experience, those veterans guided the people along the path of virtue and good conduct.

In Kautiliya's code the village elders were expected to improve the property of bereaved minors. And the South Indian Witan were likewise trustees of all public gifts and controlled the financial resources of the community.

The assembly was empowered to try cases through its judicial committee and even without recourse to the governor of the province. Violation of its decisions was visited by moral disapprobation, but the decisions themselves were upheld by the sovereign who was the fountain of all justice. The tank committee had care of the tanks and water works, and the gold committee controlled currency, while the upkeep of nandavanams and parks was the concern of the garden committee. Thus enormous powers were exercised by the assembly which was even competent to dispose of the lands. Its finances were made up of cesses collected from landowners and license fees levied from the persons pursuing the various callings and of the sum collected for remunerating the messenger from the royal court.

By permitting the villagers to manage their affairs, the Chola emperors had great adhesion of popularity and thus had in those republics a source of strength which stood them in good stead in times of stress or storm. Local independence was not to the empire a deleterious thing to be viewed with suspicion.

The salient points of local life indicated show us the mainsprings of rural welfare in ancient India. The life of the nation evolved round the simple annals of rural

economy—an economy of self-sufficiency and of barter, when agriculture was a school of virtue. Much of the triumphs of that polity should be explained by the presence of the middle class who have, as a rule, built up the civilisations of history. Nothing was impossible in a community where the aristocracies of bullion and brain lived in amity and in mutual respect. The middle class furnished members to the various committees, organised the various movements of social life, and occupied themselves in directing rural agriculture and village industries. Thus they did much to shape the course of economic life in the country, the locale of which, in turn, was in the cottage, where were developed traits of sympathy and goodwill which tended to smoothen the acerbities of rural individualism. In India religion has ever been, as some one said, a persistent and recurrent effort to establish on earth the kingdom of heaven.

Such was the position before the movement commenced in the villages of depopulating the middle class. Under the stress of invasions, the village system began to give way, and the co-sharers of the old communistic life grew more and more reluctant to till more than what was just required for their subsistence. The rest lost their interest on the old avocations and took to urban areas. As a result, the villages became less and less happy. The beginnings of the decline could be traced even to the days of the Moghul empire. Bernier, writing about the close of the reign of Shah Jehan, treats of the pernicious results of the farming system which Akbar put a stop to—only to be revived later on. "The ground is seldom tilled," wrote the Frenchman, "otherwise than by compulsion. As no person is found willing and able to repair the ditches and canals for conveyance of water......the whole country is badly cultivated and a large part rendered

unproductive from want of irrigation." That is what happens when the middle class leave the villages to their fate. Education suffered, industry decayed, social life disorganised for want of guidance, none to organise carnivals and festivals. And the progress of decay was carried a step forward when Indian culture came into contact with the severe individualism of Mill and Spencer. Then began the descent into Avernus.

As early as 1902, the late lamented Gokhale pleaded in his budget speech for an enquiry into the conditions of the villages where dwell the teeming millions of India. What exactly has been done to improve their lot is a moot question. But there is no gainsaying the fact that the increasing urbanisation and industrialisation of the people have augured ill for the villages of India. That is inevitable when the work of guiding and directing rural agriculture has ceased to have attraction to the middle class. Methinks it is unnecessary, for rehabilitating village life, to stop depopulation. The intelligentsia may help in the venture by rising equal to the call of local service. The State may give a helping hand by encouraging small industries in the villages as is sought to be done in Germany, and the local bodies, in turn, may do much in making the villages the beehive of a vigorous life. How often does one wish that greater attention is paid to the villages, that communications receive greater attention! Most of the villages lack the elementary amenities of a sanitary life, and how bright could they be rendered if only a modicum of the cess collected by local bodies is spent on the villages which constitute the nerve centres of the nation. It is to be wished that the call of the Indian village is not a call in wilderness, and that it would meet with greater response from the intelligentsia of the land.

NON-TAX RESOURCES OF LOCAL BOARDS

[By Mr. M. VENKATARANGAIYA, M. A.]*

(1) LICENSE FEES

THERE is no mention of license fees in the Local Funds Act of 1871. It was the Local Boards Act of 1884 that made a limited provision for them. It authorised the unions to collect fees "for licenses granted for the temporary erection of pandals and other structures in streets and other public places."[1] When the Act was amended in 1900 power was given for the collection of fees for putting up verandahs, balconies, sunshades and other projections over roads in front of buildings.[2] But as the income they brought was little and as it was considered undesirable to permit permanent encroachments on public roads Government issued an order in 1903 prohibiting their levy.[3] As time went on more powers were conferred on boards in the matter of regulating public health, safety and convenience and one of the means adopted for the exercise of these powers was the grant of licenses. In the Act of 1920 a long list of dangerous industries was drawn up and the taking of a license from the concerned board was made necessary before any one established them.[4] Licenses had also to be obtained for plying motor cars for hire.[5] When the Act was

*Reader Andhra University.

1. Section 57 (1).
2. Sections V, VI.
3. G. O. No. 602 L., dated 12th May, 1903.
4. Schedule VII.
5. Section 166.

revised in 1930 the purposes for which licenses became obligatory were made more comprehensive.

Boards are not compelled by law to levy fees for the issue of licenses. It is left to their discretion.[1] But they have been charging fees in almost all cases. Figures are not available for making an exact estimate of the income derived from this source. As the scope of carrying on the industries requiring a license is generally limited in rural areas, whatever income the boards are now getting through this means is mostly the result of the fees paid by motor vehicles. There are several boards which derive an income exceeding five per cent of their total receipts from this one source alone ; and during the last few years the amount has been showing a steady increase due to the raising of the rate of fees by many of the boards.[2] This has naturally brought to the forefront the controversy regarding the real nature of a license fee—whether it is a payment for some service rendered or trouble undertaken or a tax bringing profit to the boards.

It is the view of courts and some publicists that licenses are merely a means for regulating the actions of of licensees in carrying on a business or trade which, if left unregulated, might prove injurious to the interests that have to be safeguarded by local boards. Unless certain conditions are imposed a tannery, a laundry, a cattleshed, might injure the health and the comfort of the neighbourhood and the same is true of a motor vehicle which might, in the absence of proper regulations, cause damage to roads and discomfort and inconvenience to passengers and traders making use of them. In issuing a license the boards get an opportunity to impose the

1. Section 212.
2. M. L. C. P., 3rd August, 1832. Answers to interpellations ,by Mr. F. E. James.

required conditions. It also facilitates the subsequent inspection and supervision by the officials of the boards whose duty is to see how far the conditions are being obeyed. All this is like the police function discharged by the Government of the country and it is undertaken in the interests of the general public. Government does not levy a separate tax for the protection it affords to individuals through its police force. The expenditure is met from the general revenues. It may, therefore, be argued that on the same analogy local boards should meet from their general resources all expenditure they incur in regulating trades and businesses. The objection to this procedure at the present day is that boards have not adequate resources to enable them to discharge this function and they are compelled to collect a special fee from the licensees. The fee may be compared to a punitive tax levied on localities where a special police force is stationed to preserve order and peace or to the special assessments collected from those benefited by any particular measure carried out by a public authority. The issue of a license and the maintenance of a number of inspectors means additional expense to the local board and there is nothing inequitable in the collection of a fee just for meeting such expenses.

Anything collected over and above this amount is more like a tax and the complaint that has been made against the boards—especially in regard to fees on bus licenses—is that the fees levied by them are partaking more and more of the character of a tax.[1] This may be true and the question to be considered is whether there is no justification whatever for increasing the rates of fees. The primary object of a license is the proper regulation of the business concerned and public interest may require

1 M. L. C. P., 3rd August, 1932. Speech of Mr. F. Birley.

regulation of the conditions of competition among licensees. It may not be desirable to have too many buses plying for hire or too many hotels in a locality. One way of restricting the number is the levying of a high license fees. It is the only alternative for a licensing authority to resort to unless it itself is prepared to take over the business and stop private competition. There is also another consideration. The fee charged may be made to cover not merely the expenses involved in granting the license and enforcing its conditions but also the cost of repairing any special damage that the licensed trade or business might cause.[1] There need not be any objection if a high fee is collected from motor vehicles that cause damage to the roads or from businesses that contaminate the surroundings and lead to ill-health and disease.

Till very recently there was not much opposition to the view that license fees might be treated as a source of revenue. The Local and Municipal Conference held under official auspices in 1920 regarded them "incidentally as a source of revenue."[2] The Financial Relations Committee of 1920 was more emphatic on the matter and stated that "there is a mine of wealth in license fees if they are judiciously imposed and watchfully developed, and we would suggest that, when a local body refused to bring up its rate of license fees to a reasonable standard, all applications for compassionate grants should be refused."[3] This was written when the subject of motor vehicles did not become prominent and when license fees were collected from other sources. Government also was more or less of the same opinion and did not object to the proposals made by boards to raise the rates of fees even on buses in recent years. It even asked local bodies to

1 Report of the Indian Road Development Committee, 1927-28, Para 83.
2 Report P. 80.
3 do. Para 227.

raise license fees if the damage done to their roads warranted it.[1]

The reaction from this state of affairs was the result of the abnormal rise in license fees on buses which came on the heels of the Motor Vehicles Taxation Act that subjected the vehicles to a high rate of provincial taxation. The bus services were not able to bear the double burden and suffered enormously in consequence. Legislation was, therefore, recently passed fixing by statute the license fee that might be levied on different classes of motor vehicles. Everyone recognises that this would inflict a serious loss on local boards which have become accustomed to look on license fees as a steady source of revenue. The Minister had to give the assurance that he would compensate the loss by levying the provincial motor tax at the maximum rates and distributing the additional proceeds so derived among the boards. This means that the relief to the bus services may not be great—the only difference being that, instead of being subject to a higher license fee, they would become liable to pay an enhanced provincial tax. But the new law is important in so far as it is based on the view that license fees are not to be treated as taxes. At the same time it has reduced the independence of the boards by depriving them of a source of revenue hitherto controlled by them.

(2) Remunerative Enterprises

Administration reports show that boards are getting a certain amount of income from remunerative undertakings like railways, motor services, tree-planting, land development and the establishment of markets, cart-stands and slaughter-houses. Railways are owned only by a few boards like those of Tanjore, Kistna and Salem and the

1 M. L. C. P., 1st August, 1933. Speech of Mr. A. T. Pannirselvam on the amending Bill.

Government of India is not in favour of such railways being extended. The attempt on the other hand is to bring under Government ownership the few lines already existing. At one time it was hoped that boards would run motor services of their own and that this would prove to be a simpler and a better alternative to railways. But only one board has so far attempted this task and the results have not been encouraging. This shows a lack of a spirit of enterprise and foresight on the part of boards. It is a matter of universal complaint that private bus services render irreparable damage to roads, that they are carried on irregularly and unsystematically resulting in public inconvenience and discomfort, that profits derived from the use of roads should not be appropriated by private individuals, and that the only remedy for this state of affairs is the starting of motor services by the boards themselves. This would not only remove the above defects but also bring a substantial revenue. This argument is sound on the whole. The boards will generally be in a position to raise the capital required for the purpose. The railway cess funds accumulated in the past which are now in danger of being frittered away may be utilised for this purpose. Any additional capital that is required may be obtained by a more prudent loan policy being adopted by boards as well as by Government. A single management running the whole bus service in the local area would not suffer from the ruinous competition which now characterises the business. It will also be able to adjust timings, rates and regularity of service with a greater view to general advantage and attract more traffic. In the past there was some room for hesitation by boards as they were in a position to get a large income by levying license fees on private buses; but recent legislation has restricted their freedom to raise the rates of fees, and the income,

therefore, they may expect from fees will be much less than what they would hope to raise by running their own services. The only important consideration that should be weighed carefully is whether the boards would be able to get a staff with sufficient honesty and integrity to conduct the services and supervise them. Many regard that the standard of public morality is not high, but this can be improved if strong measures are taken from the beginning and if proper men are recruited. The experiment, therefore, is worth trying. Vested interests and their representatives on boards are sure to oppose such schemes and their opposition has to be faced with courage. With some encouragement and lead from Government it is quite possibe to make a good beginning in this direction.[1]

The net income from tree-planting is about one and a half lakhs of rupees per year for all boards in the presidency. Considering the huge mileage of roads and the facilities that are available for this kind of business the income derived at present is negligible. Its importance, however, has been recognised and both the Government of India and the provincial Government have issued circulars and orders calling on boards to carry out "avenue planting" on a systematic basis. It may be noted in this connection that all indigenous Governments in India in ancient as well as mediæval times regarded this as an important item in their scheme of public works and great rulers like Asoka and Sher Shah paid much attention to it. Like numerous other traditions this also has lost its effectiveness in the modern age. Along with this has also disappeared the knowledge as to what plants will thrive in particular areas. The engineering department which is entrusted with this work at present does not regard it is a legitimate part of its duty. There is no co-ordination in

1. Report of the Financial Relations Committee 1920, Chapter VII.

matters like these between the agricultural and other departments of the State. A separate aboricultural service is not in existence. One aspect of this work is the growth of topes in villages. Many of the old ones have fallen into ruin. Religious piety which stimulated philanthropic activities like these is now almost extinct. The decay of the communal life in the village led to the neglect of the few topes that continued to exist. But in the interests of village economy they deserve to be preserved and increased in number and richness. A careful nursing of such topes and groves will not only bring an income to the village panchayats but also add to the beauty of the rural areas and invigorate the life therein. In the schemes of rural reconstruction that are being tried here and there the planting of parks, topes, groves and gardens should occupy a prominent place.

Administration reports show an income under "land development." Although there is not a wide scope for an increase of income under this head panchayats will do well to conserve village sites to prevent encroachments on public roads and to preserve intact all communal areas against appropriation by rich and influential persons. In villages where there is much congestion or where there is likelihood of increase in population and consequent pressure on land required for housing purposes, panchayats with foresight may acquire land and develop it suitably with a view to get an income.

Among minor enterprises are the exploitation of fisheries in the village tanks, the taking of grazing lands on lease, and a better utilisation of communal waste land wherever it is available. Panchayats can also undertake contracts for the execution of public works in and around the village as several of them are already doing and make it a source of income.

The provision of markets, cart-stands and slaughter-houses is also a source of income to boards. But they cannot be developed to the same extent in rural areas as in municipalities. In places where weekly or bi-weekly fairs are common, the establishment of a market place is a necessity and it will also be a source of revenue. In growing villages or in those on the more important highways or where roads cross one another cart-stands will serve a useful purpose.

MISCELLANEOUS

LOCAL GOVERNMENT IN ITALY

[*We extract the following chapter from "Local Government in Many Lands" by Mr. C. Montagu Harris.*]

THE modern system of local administration in Italy may be said to have begun with the legislation of the State of Sardinia, which largely adopted the principles in vogue in France. After the proclamation of the kingdom of Italy in 1861, the system was extended to the whole peninsula, and, although there were a number of subsequent statutes dealing with different branches of the subject, the general principles of administration remained unaltered until the introduction of the Fascist *regimè.*

By a decree of 3rd September, 1926, based upon an Act of the previous February, the whole system of representative local government throughout the country, including mayors and municipal councils, was swept away and was replaced by a system which is described in Italy as one of "autarchy," as against the former conception of "communal autonomy."

THE COMMUNE

The whole of Italy is divided into *Communes* (Communi) which number at present 7,310. One commune has an area of less than one square kilometre, while two have over 700 square kilometres. The population of one commune was (in 1931) under 100, and of twenty-two over 100,000.

The responsible authority for each commune (except in the case of Rome) is the *Podesta*, who is an official appointed by Royal decree for five years. The law requires that the person so appointed shall be possessed of a general degree of "culture" sufficient and suitable for exercising administrative functions and that he shall have obtained at least a secondary education diploma. The latter condition does not, however, apply in the case of persons who have proved their capacity for dealing with such functions by war service in a sufficiently high military rank or by having already acted for at least six

months as mayor (Sindaco), or Royal Commissioner, or as prefectoral or communal secretary.

In communes having from 20,000 to 100,000 inhabitants, the Minister of the Interior may appoint a vice-podesta and in larger communes two. Two or more adjoining communes, whose total population does not exceed 5,000, may be placed under the administration of a single podesta.

The podesta is, as a rule, unpaid, but in quite exceptional circumstances the prefect may allow him an indemnity, charged on the commune or communes which he administers.

The podesta is charged with all the functions which, under previous legislation devolved upon the sindaco (mayor), the giunta (executive committee) and the consiglio communale (communal council).

He is assisted by a *Council* (Consulta) in the case of all communes having a population exceeding 20,000. A council may be appointed in smaller communes if the prefect thinks fit. The members of a council are appointed by the prefect, as regards one-third directly and as regards two-thirds on the submission by local syndicates and recognised economic organisations of three names for each vacancy.

The system of appointment is such as to ensure that all classes of producers and workers are proportionally represented, but the number of producers must be equal to the number of representatives of intellectual and manual workers combined.

In communes having a population from 20,000 to 100,000, the number of members is from ten to twenty-four, in larger communes from twenty-four to forty. In the latter case the approval of the Minister of the Interior is required. The members are unpaid and receive no travelling allowance.

The powers of the council are purely advisory. It is summoned by the podesta at his discretion, and gives advice on all matters which he submits to it. In communes with over 20,000 inhabitants, the council's opinion must be taken with regard to all decisions of the podesta which concern the budget estimates, expenditure which would affect the budget for more than five years, the raising of loans, the

imposition of taxation, the alienation of communal property, or the direct undertaking of public services.

In case of a difference of opinion between the podesta and the council, the former may decide according to his own views ; he must, however, state in his report to his administrative superior that there has been such a difference.

The podesta directly superintends the execution of all decisions taken on his responsibility, even if the council has been consulted. There is no other executive. He is personally responsible in certain cases for loss caused to the commune by his action or negligence, and may be prosecuted before the ordinary courts.

The podesta may delegate specific administrative functions to any member of the council or, where there is no council, to any citizen who does not come within the category of ineligibility under the old communal and provincial law. In the latter case the choice must be approved by the prefect.

Committees may be appointed for the superintendence of public services or for other purposes, either by the podesta at his discretion or in accordance with legal provisions or municipal regulations. These are not, however, committees of the council. Their chairmen are usually appointed by the podesta.

ROME

The Government of Rome is based on similar principles to that of other communes, but the head is entitled *Governor* (Governatore) instead of podesta, and he is supported by a *Vice-Governor*. The governor and vice-governor are appointed by Royal decree on the proposition of the Minister of the Interior with the advice of the Council of Ministers.

The advisory *Council* (Consulta) of Rome consists of twelve *Consultori* appointed for four years by Royal decree on the proposition of the Minister of the Interior with the advice of the Council of Ministers.

THE PROVINCE

The result of the treaties after the Great War was to increase the number of Italian provinces from sixty-nine to seventy-six. By a Royal decree of 2nd January, 1927, the sub-districts were abolished and the number of provinces accordingly increased to ninety-two.

The areas of these vary from forty-two square miles (Zara) to 3,568 (Cagliari), and the population in 1931 from 20,314 (Zara) to 2,083,047 (Naples).

At the head of the province is the *Prefect* (Prefetto), who is appointed by the Crown after deliberation by the Council of Ministers and on the advice of the Minister of the Interior. He must reside in the capital of the province and his jurisdiction is restricted to the provincial area. He represents the Central Government in the province, and in that capacity supervises all the local public offices, and can, in any case of emergency, take such measures as he considers necessary; he superintends the police and is responsible for public order, and for this purpose can make use of the public forces and can require military assistance.

For the administration of particular services affecting the whole area, there is in each province, in addition to the prefect—and in certain respects subject to the jurisdiction—a *President* (Preside) and *Vice-President*, who are appointed by Royal decree for four years. Their position in relation to the province is similar to that of the podesta in relation to the commune.

The provincial president is assisted by a council called the *Rettorato*, consisting of six to ten members and two subsidiary members, appointed for four years by Royal decree on the nomination of the Minister of the Interior. The members of this body, as also the president and vice-president, are unpaid. The "rettorato" meets and acts on very much the same lines as the "consulta" in the communes, and can appoint committees to superintend the provincial institutions.

Matters of provincial, rather than communal, concern are the provincial roads and water-supply works, care of lunatics, deserted children and the blind, laboratories, provision of vaccine, quinine and anti-tuberculin, higher education and public safety.

The Provincial Administrative Board (Giunta provinciale amministrativa), which consists, for each province, of the prefect as president, five members who are provincials and one appointed, is a body which has itself no direct administrative functions, but exercises control over the communes.

OFFICIALS

The officials and other employees of the commune are appointed by the podesta, with the exception of the chief secretary, who is appointed by the prefect. The provincial officials, including the chief secretary, are appointed by the rettorato. The chief secretary of each authority has control over all the rest of the staff.

All communal and provincial employees, who retire after at least twenty-five years' service, receive a pension from the superannuation fund for administrative employees of the communes and provinces, to which they must all contribute from the time of their appointment.

FINANCE

Considerable changes have been made in the financial system of local authorities in Italy since the introduction of the Fascist *regime*. The Italian communes can impose both local taxes and additions to State taxes, but the tendency is to extend the sphere of the former while reducing the latter.

Decrees of 1923 to 1931 abolished several taxes of both types, modified others and sanctioned certain new ones, the available communal resources at the beginning of the year 1932 being consequently as follows:

(1) Land and buildings sur-taxes, namely, an addition to the State tax on land which must not be more than five times the State tax, and an addition to the tax on buildings not exceeding the amount of the State tax.

(2) Tax on industries, trades, arts and professions, levied on the incomes over 2,000 lire, at a rate not exceeding 3 per cent.

(3) "Patent" tax on incomes below 2,000 lire, the income being calculated according to different categories.

(4) Tax on places for the retail sale of alcoholic liquors, on bathing establishments, ball-rooms and public halls.

(5) Tax for the upkeep of highways, applicable to corporations or persons in the habit of using the highways extensively.

(6) "Improvement" tax on the increment value of rural and urban property caused by the carrying out of public works.

(7) Tax on the value of dwellings, to be paid by the occupiers.

(8) Local taxes on public and private carriages, bicycles, servants, photographs and signs (obligatory for those in foreign languages), cattle, dogs, pianos, billiard tables, and visitors.

(9) A share of the entertainment tax.

No mention is made above of the octroi duty which was up to 1930 the main financial resource of the Italian communes. In March of that year the octroi was entirely abolished by decree and was replaced by taxes on consumption. The principal source of revenue of the local authorities will in future consist of excise duties on wine. The duties on beer, brandy and liqueurs were at the same time considerably increased and higher taxes might also be levied on the consumption of mineral waters, meat, sausages and lard. Gas and electricity might be lightly taxed. The local authorities were given power themselves to levy these taxes or they might co-operate in levying them or farm them out. They must, however, themselves levy the taxes on gas and electricity.

As in other countries, the communes may make charges for certain public services and, under a law of 1903, a list is given of permissible communal undertakings, from some of which a financial return may be expected. These include water-supply, lighting, sewerage and sewage disposal, tramways and motor omnibuses, cleansing and refuse disposal, funerals, cemeteries, slaughter-houses, markets, baths and wash-houses, manufacture and sale of ice, construction and management of night refuges, electricity supply, bill posting, pharmacies. State subsidies are given towards the salaries of elementary school teachers and towards the cost of certain public works, especially roads leading to railway stations, works of defence against floods, etc., or for water-supply, housing and the erection of schools.

The provinces have also power to levy additions to certain of the State taxes and to carry on services as above mentioned, and share in the produce of the entertainment tax.

It is the podesta who decides, in the case of any commune, what taxes shall be levied. The assessment and regulations for its application must be approved by the Giunta provinciale amministrativa. The prefect then transmits the proposals to the Ministry, which, after taking the opinion of the Council of State, can annul

them wholly or in part if they are not in conformity with the law or the general regulations.

Communal loans require, after the decision of the podesta, the approval of the provincial administrative board. Except in certain special cases, no debt may be contracted if the interest upon it, together with the interest on previous debts or loans, exceeds a quarter of the ordinary receipts.

In the case of Rome, there is a special provision for financial assistance from the State which grants :

(*a*) an annual subsidy of 50 million lire for costs of representation and for the execution of public works for the development of the city, for street maintenance and for the protection of ancient monuments ;

(*b*) an annual subsidy of 10 million lire for public services in the rural area surrounding the city ;

(*c*) an annual subsidy of 30 million lire for the execution of the new town-planning scheme.

CONTROL

The podesta, besides being bound to carry out his functions in accordance with the general principles laid down by the State, is subject to two forms of control. The question of the legality of his acts is under the control of the prefect, to whom he must send every decision which is other than a mere execution of measures which have previously been approved. Moreover, inspections are made from time to time by special officials of the Ministry of the Interior, who both investigate all proceedings from the point of view of their legality, and, generally, give the podesta the advantage of their advice and assistance.

There is, further, an administrative control over the podesta exercised by the provincial administrative board, which judges of the expediency of proceedings from the administrative point of view and allows or disallows them as they are, in their opinion, in accordance with the interests of the community as a whole.

As regards the municipalities having populations of 100,000 or more, this control is exercised only in respect of the raising of loans, leases of communal property for a period exceeding twelve

years, undertakings committing the commune to expenditure for more than five years, and building or other police regulations.

In the case of the smaller authorities, the provincial board controls also any alienation of communal property and other financial dealings, changes in the classification of roads or road improvement schemes, creation of tolls, regulation of the administration of communal institutions and other property where there is opposition, levy of communal taxes, mortgages and other matters of a similar nature, and legal proceedings relating to real property.

ADMINISTRATIVE JURISDICTION

Complaints against the actions of local authorities and other controversies relating to local administration may be dealt with either by the ordinary courts or by administrative tribunals. In the former case, however, the court must confine itself to adjudicating on the effects of the administrative provisions in relation to the subject in dispute, without being able, even where it declares the provision *ultra vires*, to modify or revoke it, and much less to substitute a fresh provision for it. An administrative act can be modified or revoked only by the competent administrative authority.

Independently of the action before the ordinary courts, a *Hierarchical Appeal* (Ricorso Gerarchico) can be brought before the superior authority against any provisions of an inferior authority as to which the latter has not power of final decision, and the superior authority can annul or modify the act complained of as it thinks fit.

There is a further *Extraordinary Appeal to the King* (Ricorso straordinario al Re) against the decision of the superior authority, and this class of appeal can be made direct against "final" decisions of a local authority, but under this appeal only the legality of the administrative provisions can be called in question.

Concurrently with and alternatively to an extraordinary appeal to the King, there may be a direct appeal to the judicial sections (IV and V) of the Council of State. These sections adjudicate also on appeal from the provincial administrative committee, acting as an administrative court of first instance.

ADMINISTRATION OF CERTAIN PUBLIC SERVICES

Public Health.—The care of the public health is, under the Minister of the Interior, an obligation resting on the prefects and podestas.

Attached to each prefecture is a Provincial Medical Officer and a Provincial Council of Health. The latter, presided over by the prefect, has functions analagous to those of the Superior Council of Health, which is a consultative body attached to the Ministry of the Interior.

The provincial medical officer, who is a Government official responsible to the prefect, has as his principal duty to superintend the sanitary services and the hygienic conditions of the communes, the sanitary institutes of the whole province, and the execution of sanitary laws and regulations. In each commune is to be found a sanitary official appointed by the prefect on the proposal of the provincial sanitary council and paid by the commune.

The duty of the commune in the matter of public health, besides general sanitary administration, includes the granting of loans for medical and surgical assistance and the free distribution of medicines to the poor. For this purpose, the communes are bound to pay an adequate number of physicians, surgeons and midwives, who give gratuitous services to the poor, and must also supply them gratuitously with medicines by means of the pharmacies existing in the place, or, if none such exist, instituting provision of the requisite dispensaries.

The prefect can act in the place of communes in cases of default or negligence.

The provinces are obliged to undertake certain duties which affect a wider area than that of a single commune, *e.g.*, for the establishment of laboratories for the benefit of the communes (except in the case of communes of over 150,000 inhabitants, which may establish their own), measures to deal with tuberculosis and rabies, the provision of vaccine, quinine, etc., and they are given power to undertake other similar functions.

Education.—The education which is given by the State and by other public authorities does not exclude the co-existence of

private education, provided that the latter is adequately guaranteed, principally by State examinations.

Elementary and popular education is provided by regional administration financed by contributions from the State and the communes. As a rule the communal authorities are not responsible for educational administration, but in the case of the more important centres (about 300) this function has been conferred upon them, subject to certain conditions.

Higher education is given in Government institutions maintained by the State (except so far as contributions are received from the provinces and communes) by official professors who are paid by the State itself.

Highways.—The provinces are responsible for the main provincial roads and the communes for the remainder, but, as already stated, the approval of the provincial administrative board is required to the laying out of a new street by a commune or to an alteration in the classification of streets.

Public Assistance.—In every commune *a Board of Charity* (Congregazione di Charita) must be appointed by the communal council. The number of members, in addition to the president, who is appointed by the prefect, is four in communes with a population not exceeding 20,000, six where the population is from 20,000 to 100,000, and eight in the remainder. The president and members are appointed for four years.

The principal functions of a board of charity are to administer endowments, etc., which have no special administrative body, to undertake the legal representation of the poor before the administrative or judicial authorities, and to care for orphans, etc. The care of the blind, provided that they are not incurable, belongs to the province.

The boards of charity obtain their funds from voluntary subscriptions, donations and bequests.

The actual relief of the poor is carried out mainly by *Public Charitable Institutions* (Istituzioni Pubbliche di Beneficenza) which are recognised by law under certain conditions. In addition to these, there are also private charitable organisations.

All these institutions are subject to the control of the Provincial Administrative Board.

Police.—Police duties (for the prevention and repression of crimes and the maintenance of public order) are exercised entirely by State organs, and the local authorities are in no way concerned with them.

Such police powers as come within the functions of the local authorities (provinces and communes) never have any relation to the protective police properly so called, but rather to the administrative police (sanitary, rural, etc.).

CONCLUSION

It is clear that the system of administration in Italy is now one of complete centralisation, even more so than in France. Such local councils as exist are not elected by the population, but are appointed by the Central Government or its representative, and their functions are purely advisory. It is interesting to observe that it is the intention that these local councils shall represent the different classes of the population on a more or less proportional basis.

BOMBAY GOVERNOR'S ADVICE TO LOCAL SELF-GOVERNMENT WORKERS

THE Governor of Bombay met the Provincial Council of the Local Self-Government Institute, Poona, on Sunday, 27th, August 1933. Addressing the members, the Governor thanked them for having given him the privilege of meeting them, perhaps for the last time before he lay down his office as Governor and said :

"I have just heard with deep interest what Sir Ruston Vakil has said about the aims of the Institute and the work which it has accomplished during the few years of its existence. The Institute is fortunate in having at its helm the Honourable Minister for Local Self-Government, whose term of office has been signalised by important constructive work in the sphere of local self-government. I am glad to note that a large number of local bodies, big and small, have enrolled themselves, and I hope that those which have not yet joined the Institute will soon become members and thus help the Institute further to extend its activities.

"It is a great pleasure to me to endorse the opinion of the Royal Commission on Agriculture which you, Sir, have just quoted, and to express my appreciation of this valuable advisory, propagandist, and educational work that you are carrying on. I share your regret at the financial difficulties of the Institute, which, as we have heard, have necessitated a period of consolidation rather than expansion pending the restoration of normal conditions and a revival of prosperity.

"In speaking to you today I do not propose to deal with the many important questions relating to municipal administration to which I am aware that you have devoted and are devoting much study, but to concentrate attention rather on the rural problem, and to indicate in broad outline the methods by which I am inclined to think that rural conditions and rural life can be made more happy, prosperous and healthy.

"If Government are to secure any large improvement in this matter, they must rely to an ever increasing extent upon non-official assistance. It is, therefore, essential that there should be continuity of non-official endeavour by local organisations. It is by working through such bodies that the skill and knowledge of the parties contributing to the success of such a movement can bear substantial fruit.

"I wish here, too, to lay greater emphasis on the quality than on the quantity of local self-governing institutions. We know that much excellent work has been conducted in individual villages by individual men, but that, as soon as their work has ceased, the impetus for improvement has often died away, unless some organisation such as a development association has been established to continue it. Where a local organisation exists, this is much less likely to happen.

"The new Village Panchayats Act will, I hope, prove to be a useful instrument to assist us to achieve our purpose in some cases. In the first place, as you know, the Patil is to be a member of every panchayat, as of course he must be. In the second place, there is no work of village improvement in which a panchayat may not take a hand. Thirdly, the provision by which village bench may be constituted in any village which has a panchayat to try civil and criminal cases will, I trust, be a means by which petty cases, may be dealt with and finally disposed of within the village. By this means much bitterness and expense may be avoided.

"We do not however, wish to force the development of panchayats where they are not wanted for their very essence is in the spontaneity of their growth and other villages, especially those in talukas which possess Taluka Development Associations, may prefer to work through "better living societies" or some other form of co-operative society. There is no kind of village improvement work which may not be compassed by these societies. One form of organisation may not suit all villages, but eventually there must be some form of organisation in every village.

"It may be that sometimes some wholly new types of village organisations may develop, but let us not experiment too much, but use, where possible, existing organisations. These are:

(i) the panchayat or the sanitary board or committee; and (ii) the co-operative society of the "better living" type, or those

formed to promote agricultural improvements. A village which has such a body in existence already will tend to be a better village to select for improvement work than one which has none.

"I have read with much interest the scheme for popularising village panchayats and for fostering their growth which you have recently submitted to Government and also the suggestions on the same subject by Rao Bahadur Kale, President of the Satara District Rural Uplift Association.

"Government have not yet decided how the grant of Rs. 25,000 provided in the year's budget for the encouragement of panchayats should be spent. But I take the opportunity of offering a few observations on points that must necessarily be taken into account before a policy can be definitely determined in this matter. I would postulate at the outset that the growth of panchayats must follow a general and genuine desire on the part of the villagers to improve their social and economic condition, since a mushroom growth stimulated by and dependent on Government subsidies can never afford any permanent solution.

"Our first step must, therefore, be to inspire villagers with discontent with slovenly methods of cultivation, haphazard breeding of cattle, prolonged periods of idleness, extravagance in social customs, debts incurred for unprofitable purposes, and dirt and disease in the home and the village. It is not until this spirit is firmly implanted in them and their outlook changed that they will take the necessary steps to improve their condition.

"Our initial problem is, therefore, to create in a village the atmosphere which must be the basis of every effort at self-improvement. To do this we must begin by enlisting the help of non-officials with local influence and enthusiasm to take up propaganda work. Such men must be selected by the Collectors in consultation with presidents of district local boards and with the advice of the local committee. For this purpose paid organisers from outside would be of little use. But it will be incumbent on Prant Officers and Mamlatdars and the officers of the agricultural, public health, educational, co-operative and veterinary departments to back up their efforts. To provide these official and non-official workers with the requisite knowledge and material, I suggest that a Manual should be prepared and I am sure

that in its preparation we may rely on your Institute for advice and assistance.

"The problem of the right method of co-ordination is one that requires careful study. It may be desirable to set up a district organisation with taluka branches acting as its agents to assist in the formation of panchayat and co-operative societies, direct the thoughts and energies of the village bodies and help them to select the most suitable type of improvements for them to undertake.

"The work done by the panchayats is, under the law, subject to the supervision of the district local boards. One side of the work of village reconstruction such as improvements in roads, water-supply and sanitation can best be entrusted to the supervision of the district local board and its staff. But if in any district the development of panchayats lags, while "better living societies" other kinds of societies and taluka development associations flourish, it will perhaps be advisable to establish a district association like the newly formed District Agricultural Association of Nasik or the Sholapur Village Improvement Committee, which would deal with both the district local boards (and through them with the panchayats) and the taluka development associations, under the chairmanship of the Collector.

"The forces of Government will be available to play a three-fold part in the scheme, co-ordinating, technical and specialist. The general co-ordination of Government assistance for village improvement will devolve in the future, as in the past, on the officers of the Revenue Department. They will stimulate the interest of the village taluka bodies. For this purpose Collectors will be in close touch with the district local boards and should be chairmen of the district welfare organisations, if they exist. It will probably be desirable that the sub-divisional officers should be members of the district local boards.

"Specialist advice will be provided by every department of Government which has a local organisation and by the central non-official associations which have been formed to assist the country-side. Above all the public health, education, agricultural and co-operative departments will be close partners in the scheme and assist the revenue officers at every point.

"In all the work undertaken in pursuance of the scheme simplicity must be the watchword. There is no room for the ardent

reformer who is not ready to translate his enthusiasm into plain practical work. There is also no room for compulsion in any case as compulsion is not of the essence of the scheme but other methods may usefully be employed to achieve the purpose in view. These are (*i*) example, (*ii*) attraction, (*iii*) propaganda, and (*iv*) leagues. When leagues are formed the question of a village hall will arise but the *chavadi* may be used for the purpose. The question of the fund may also arise. There may be no Government subsidy for the scheme for some time ahead. But care will be taken to see that villages which make special efforts to improve are favourably dealt with but progress will come mainly by the work which the district, taluka and village organisations put in. The scheme depends on personal and corporate effort rather than on money.

"Gentlemen, as members of the Local Self-Government Institute, there is a vast field for your activities, and you can do much by your advice, interest and educational activities to foster the growth of healthy local self-governing bodies."